

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/765,524
	Filing Date	January 27, 2004
	First Named Inventor	Steven Roy Lipscomb
	Art Unit	3712
	Examiner Name	Layno, Benjamin
Total Number of Pages in This Submission	Attorney Docket Number	
	320400-00006	

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Katten Muchin Zavis Rosenman		
Signature			
Printed name	John S. Paniaguas		
Date	Apr 14, 2005	Reg. No.	31,051

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Janelle A. Reitz

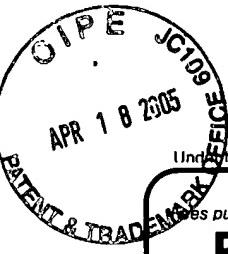
Date

4-14-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**\$180.00****Complete if Known**

Application Number	10/765,524
Filing Date	January 27, 2004
First Named Inventor	Steven Roy Lipscomb
Examiner Name	Layno, Benjamin
Art Unit	3712
Attorney Docket No.	320400-00006

**METHOD OF PAYMENT** (check all that apply)

Check    Credit Card    Money Order    None    Other (please identify): \_\_\_\_\_

Deposit Account   Deposit Account Number: **50-1214**   Deposit Account Name: **Katten Muchin**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below    Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17    Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	
				Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
				360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 or HP =	x	=		Fee (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>Information Disclosure Statement</u>	\$180.00

**SUBMITTED BY**

Signature	<i>John S. Paniaguas</i>	Registration No. (Attorney/Agent) 31,051	Telephone (312) 902-5200
Name (Print/Type)	John S. Paniaguas	Date <i>4-14-05</i>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 10/765,524  
Confirmation No.: 1029  
Filing Date: / January 27, 2004  
Inventor(s): Steven Roy Lipscomb  
Group Art Unit: 3712  
Examiner Name: Layno, Benjamin  
Attorney Docket No.: 320400-00006  
Title: Constant Pace Card Game

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

This document is being filed pursuant to the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

**I. TIME OF FILING**

- This document is being filed in accordance with 37 C.F.R. § 1.97(b) as it is believed to be filed:
- within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);  
 within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;  
 before the mailing of a first Office action on the merits; or  
 before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

**OR**

04/18/2005 AKELECH1 00000009 10765524

01 FC:1806 180.00 DA

This document is being filed in accordance with 37 C.F.R. § 1.97(c) as it is believed to be filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. This Statement is accompanied by one of:

the following statements; or

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The fee set forth in § 1.17(p). Fee Transmittal Form PTO/SB/17 is attached.

**OR**

This document is being filed in accordance with 37 C.F.R. § 1.97(d) as it is believed to be filed on or before the payment of the issue fee and is accompanied by one of the following statements and the fee set forth in § 1.17(p). Fee Transmittal Form PTO/SB/17 is attached.

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicant(s) respectfully request that the documents listed on the attached Form PTO/SB/08A and/or Form PTO/SB/08B be considered and made of record.

**OR**

It is requested that this Statement and enclosures be placed in the file. It is understood that the cited references will not be considered by the Office.

## II. FOREIGN PATENT OFFICE COMMUNICATIONS (if applicable)

One or more of the items of information contained in the information disclosure statement were cited in a communication from a foreign patent office in a counterpart foreign application.

A copy of the search report is attached.

## III. COPIES OF CITED REFERENCES

Because this application was filed prior to June 30, 2003, copies of the document(s) listed on the attached Form(s) PTO/SB/08A and/or PTO/SB/08B are attached.

**OR**

Because this application was filed after June 30, 2003, copies of non-U.S. patent citations as listed on the attached Form(s) PTO/SB/08A and/or PTO/SB/08B are attached.

## AND (if applicable)

All cited U.S. pending (non-published) applications listed on Form PTO/SB/08A are stored in the USPTO's IFW system. Copies are therefore not provided.

**OR**

One or more of the cited U.S. pending (non-published) applications (filed prior to June 30, 2003) as listed on Form PTO/SB/08A has not been stored in the USPTO's IFW system. Copies for the unstored applications are provided herewith.

## IV. REMARKS

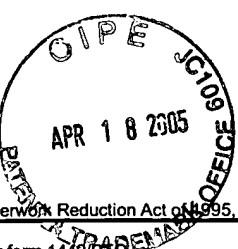
The above constitutes information that an Examiner may find material to the examination of the subject application; however, it does not negate the patentability of the subject invention. Furthermore, it is not intended that submission of this information be taken as a representation that a search has been made or that no information which is more material exists.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment with respect to this communication to Deposit Account No. 50-1214. A duplicate copy of this communication is enclosed.

Date: 4-14-07

By:

  
John S. Paniaguas  
Attorney or Agent for Applicant(s)  
Reg. No. 31,051



PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/P-1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

of

**Complete if Known**

Application Number	10/765,524
Filing Date	January 27, 2004
First Named Inventor	Steven Roy Lipscomb
Art Unit	3712
Examiner Name	Layno, Benjamin

Attorney Docket Number 320400-00006

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number <small>Number-Kind Code<sup>2</sup> (if known)</small>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,451,054	09-19-1995	Orenstein	
		US- 5,293,354	03-08-1994	Costabile	
		US- 5,821,914	10-13-1998	Sasaki, et al.	
		US- 2002/0154773 A1	01-29-2003	Lipscomb	
		US- 6,532,042	03-11-2003	Kim	
		US- 2002/0154773 A1	10-24-2002	Standard, et al.	
		US- 6,622,053 B1	09-16-2003	Hewlett, et al.	
		US- 6,626,757 B2	09-30-2003	Oliveras	
		US- 5,132,885	07-21-1992	Hocheim, et al.	
		US- 6,563,523 B1	05-13-2003	Suchocki, et al.	
		US- 6,255,787 B1	07-03-2001	Belleveau	
		US- 6,664,745 B2	12-16-2003	Belliveau	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document <small>Country Code<sup>3</sup>-Number<sup>4</sup>-Kind Code<sup>5</sup> (if known)</small>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

**Complete if Known**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		Application Number	10/765,524
		Filing Date	January 27, 2004
		First Named Inventor	Steven Roy Lipscomb
		Art Unit	3712
		Examiner Name	Layno, Benjamin
Sheet	of	Attorney Docket Number	
		320400-00006	

**NON PATENT LITERATURE DOCUMENTS**

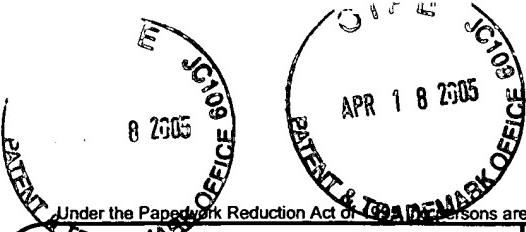
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Wholehog II Handbook", Version 4.0	
		"ColorPower User Manual", Version 1.1, August 2003.	
		"Wholehog II Quick Reference", by Susan Rose. AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	
		"Wholehog II" HogUnit Supplement, Version 3.1. AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	
		"Wholehog PC" Handbook, 2001.	
		"Operation Manual" Select DMX 4Bank", March 26, 2003.	
		"Digital Editor" AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	
		"Matrox DigiSuite Platforms Comparison" AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	
		"DMX Control Products" AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	
		"PC Based Lighting Control" AVAILABLE ON THE INTERNET PRIOR TO 1/27/04	

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet		of		Attorney Docket Number	320400-00006
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"USPTO Patent Full-Text and Image Database"	
		"Dove Systems - DMX for Dummies"	
		"Kino Flo Incorporated"	
		"Reestech"	
		"ThePokerForum.com"	
		"Creator 1024"	
		"Creator 512 Basic"	
		"Hog 500/1000 Operating Manual" Software Version 3.20	
		"WholeHog PC"	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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